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Snepp Crackdown Belies Carter's Praise for Whistle Blowers

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The axiom of the Nixon administration, as propounded by Attorney General John Mitchell, was, "Don't watch what we say, but what we do."

For Jimmy Carter it seems to be reversed. That is, we are supposed to heed what he says, but pay less attention to what he does.

You take the civil service reform program he ceremoniously unveiled at the National Press Club. One of its provisions calls for creation of a special unit to protect "whistle blowers," those civil servants who occasionally break ranks and tell us taxpayers what is really going on.

Yet, minutes later, the president greeted with obvious irritation a question about a conspicuous whistle blower, Frank Snepp, the ex-CIA agent, who wrote a book about the agency's catastrophic failure at the time of the fall of Saigon and is being sued by the Justice Department.

Snepp obviously doesn't correspond to Carter's idea of a whistle blower, because in the president's view, he did not "reveal anything that would lead to an improvement in our security apparatus or the protection of Americans' civil rights."

THE PRESIDENT also engaged in what might be considered "prejudicial pre-trial publicity," since he implied that Snepp had revealed "our nation's utmost secrets" — which not even the government has charged in its complaint.

What Snepp is being sued for is breach of contract. Like all other CIA employees, he signed an oath that he would not "publish or participate in the publication of any information or material related to the agency or its activities . . . without specific prior approval by the agency . . . or disclose any classified material without proper authorization."

But in "Decent Interval" Snepp was meticulous about not giving sources or methods or names of people whose lives would be endangered. And he recounts his dogged efforts to go through agency channels to produce an "after-action" report which would tell the agency what went wrong.

AS A MATTER of fact, opinion within the Justice Department was sharply divided over the question of bringing suit against him. Some attorneys argued that to take him to court would open old sores, force the country to relive one of the most humiliating episodes in our national history and embarrass high officials who are still walking around Washington.

But CIA Director Stansfield Turner, who summarily rid the agency of 800 employees who were, in his felicitous phrase, "clogging the system" and fears a tidal wave of rancorous reminiscences, insisted that an example be made.

Justice agreed to move on Snepp, who wrote his book in total secrecy, but decided against naming Random House, which published it clandestinely.

The government is seeking to take Snepp's royalties away from him — 70,000 copies of the book are in circulation — force him to pay damages to the CIA and prohibit him from speaking or writing about the agency.

Snepp, a 34-year-old North Carolinian, makes the point that he tried to blow the whistle from the inside.

"I would still be in the agency if that after-action report had been written," he said in a telephone interview from his Alexandria home.

He is not disaffected. He is so committed to the CIA that he went before the Senate Intelligence Oversight Committee in December and testified in behalf of a "dissent channel" at Langley so employees could relate misadventures to their superiors.

"They tore me limb from limb," he says of that session.

While he was still in good standing at the CIA he tried to tell the inspector-general about the avoidable horrors of the U.S. evacuation of Saigon — and the abandonment of thousands of Vietnamese agents and collaborators — he was told, he says, "We can't deal with anything so controversial."

The Office of Political Research wouldn't touch it, either — "We deal with futuristics," they said.

HIS ATTORNEY, Mark Lynch of the ACLU, notes that Snepp is a rather lonely fellow. A former CIA interrogator cannot expect the sympathy and support that the peace movement is lavishing on Ronald Humphrey and David Truong, whom the FBI caught allegedly passing state papers to the Vietnamese. Civil libertarians are also gripped by the fact that the president signed the authorization for electronic surveillance, although he favors, on the record, the use of warrants in all surveillance, even when national security is involved.

Snepp believes the two cases are related — "an effort to tighten up in the security community."

His basic defense is that his oath was invalidated by the actions of such luminaries as Henry Kissinger, former CIA Director William E. Colby, former U.S. Ambassador to Vietnam Graham Martin and former CIA Station Chief Thomas Polgar, who "selectively" leaked to the press classified documents in their efforts to put a better face on the blindness and bungling which led to the catastrophe of April 1975.

Snepp, in court, will be showing the agency its warts once again. That's what whistle blowers do, and Carter *says* he wants to encourage them. It's hard to prove by his actions in the Snepp case.

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